UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/529,379	05/10/2000	XANDER VAN DER HEIJDEN	BO 41504	7020

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YOUNG & THOMPSON
745 SOUTH 23RD STREET 2ND FLOOR
ARLINGTON, VA 22202

EXAMINER
LAFORGIA, CHRISTIAN A

ART UNIT	PAPER NUMBER
2131	13

DATE MAILED: 06/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	**Applicant(s)**
Office Action Summary	09/529,379	VAN DER HEIJDEN ET AL.
	Examiner	**Art Unit**	
	Christian La Forgia	2131	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *29 March 2004*.
2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-61* is/are pending in the application.
    4a) Of the above claim(s) *1-28* is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) *29-47,51-53 and 56-61* is/are rejected.
7)☒ Claim(s) *48-50,54 and 55* is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All b)☐ Some * c)☐ None of:
        1.☐ Certified copies of the priority documents have been received.
        2.☐ Certified copies of the priority documents have been received in Application No. _____.
        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
        application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)
1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1.   The amendment of 29 March 2004 is noted and made of record.

2.   Claims 1-61 are presented for examination.

3.   Claims 1-28 have been cancelled as per Applicant's request.

Response to Arguments

4.   Applicant's arguments with respect to claims 29-56 have been considered but are moot in

view of the new ground(s) of rejection.

5.   See further rejections that follow.

Claim Rejections - 35 USC § 103

6.   The text of those sections of Title 35, U.S. Code not included in this action can be found

in a prior Office action.

7.   Claims 29-47, 51-53, and 56-61 are rejected under 35 U.S.C. 103(a) as being

unpatentable over U.S. Patent No. 5,467,472 to Williams et al., hereinafter Williams, in view of

Applicant's Admitted Prior Art, hereinafter AAPA.

8.   Regarding claims 29 and 38, Williams teaches wherein the message definition references

comprise a message identifier (MSG ID) for identifying any message (Figure 4 [block 402];

block 6, lines 6-34).

9.   Regarding claims 30 and 39, Williams teaches wherein the message definition references

comprise a message class identifier (MSG CLASS) for identifying a message class for any

message (Figure 4 [block 402]; block 6, lines 6-34).

10.   Regarding claims 31 and 40, Williams teaches wherein the message definition references

comprise a message version identifier (MSG VERSION) for identifying a version number of any

message (Figure 4 [block 402]; block 6, lines 6-34).

11.   Regarding claims 32 and 41, Williams teaches wherein the message definition references

comprise a message creator identifier (MSG CREATOR) for identifying a creator of any

message (Figure 4 [block 402]; block 6, lines 6-34).

12.   Regarding claims 33 and 42, Williams does not teach wherein the header comprises a

reference to a type of encryption (ENCRYPTION TYPE) applied. It would have been obvious

to one of ordinary skill in the art at the time the invention was made to include a reference to the

type of encryption used in the header, since it has been held in the art that there must some

indication of the type of encryption used so the receiver can subsequently decrypt the message.

13.   Regarding claim 34, Williams does not teach wherein the header comprises a reference to

a type of compression (COMPRESSION TYPE) applied. It would have been obvious to one of

ordinary skill in the art at the time the invention was made to include a reference to the type of

compression used in the header, since it has been held in the art that there must some indication

of the type of compression used so the receiver can subsequently decompress the message.

14.   Regarding claim 35, Williams does not teach wherein the header comprises a reference to

an application (APPLICATION NAME) for indicating whether or not any message is member of

a series of messages forming together the application. It would have been obvious to one of

ordinary skill in the art at the time the invention was made to include a reference to the type of

application used in the header, since it has been held in the art that there must some indication of

the type of application used so the receiver can subsequently open the message.

15.   Regarding claims 36 and 43, Williams does not teach wherein at least one of said

messages comprises a digital signature. It would have been obvious to one of ordinary skill in

the art at the time the invention was made to include a digital signature in the messages, since it

has been held that such a modification would increase the security of exchanging messages by

verifying the identifying the identity of the sending or receiving party.

16.   As per claims 37, 56, 60, and 61, Williams teaches a method of communication between

a sender (SRV(m)) and a receiver (SRV(m)) through messages with flexible message formats

(ILMF), comprising the steps of:

    A) creating messages (column 3, lines 26-37) comprising

    a header portion and a message content portion (Figure 4 [block 402, 403, 404]; column

3, lines 27-37; column 6, lines 7-37),

    the header portion comprising message definition references (MSG ID, MSG CLASS,

MSG VERSION, MSG CREATOR) (Figure 4 [block 402]; column 6, lines 7-37),

    the message content portion comprising

i) a field count field (FIELD COUNT) and a first number of data fields (FIELD

(1) , ...), the field count field storing the first number, and the data fields each storing

message data (Figure 4; column 6, lines 32-37),

ii) a object count field (OBJECT COUNT) and a second number of object fields

(OBJECT (1),...), the object count field storing the second number, and the object fields

each storing an object, each stored object being referred to one of the data fields (Figure 4

[block 407]; column 6, line 52 to column 7, line 50),

iv) an action count field (ACTION COUNT) and a fourth number of action fields,

the action count field storing the fourth number, and the action fields each storing an

action command found in a message action list (Figure 4 [block 408]; column 6, line 52

to column 7, line 50); and

B) using the messages created in step A to conduct point-to-point communications

between a sender and a receiver by interpreting and processing said messages using a database

(ILMDB) storing a message definition table (msgdef), a field definition table (flddef), mapping

instructions (fldmap) and message action lists (fldact, msgpre, msgpost) (column 16, line 35 to

column 18, line 19).

17.   Williams does not teach implementing the system in a point-to-point communications

system. It would have been obvious to one of ordinary skill in the art at the time the invention

was made to implement the messaging system of Williams in a point-to-point communications

system, since Williams states that such a modification would reduce message size, thereby

making it more efficient to transmit messages from a sender to a receiver.

18.   Williams does not teach where the header comprises a sender identifier and a destination address. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include a sender identifier and destination address, since it has been held that such a modification is necessary when implementing a communications protocol.

19.   Williams discloses the claimed invention except for the message content portion containing field count field, instead Williams teaches it being in the header. It would have been obvious to one of ordinary skill in the art at the time the invention was made to move the field count field to the message portion instead of the header portion, since it has been held in the art that rearranging the parts of an invention involves only routine skill in the art. See MPEP § 2144.04; see *In re Japikse*, 181 F.2d 1019, 1023, 86 USPQ 70, 73 (CCPA 1950).

20.   Williams does not disclose a map count field (MAP COUNT) and a third number of map fields (MAP (1) ,...), the map count field storing the third number, and the map fields each storing database mapping instruction data.

21.   The Applicant's Admitted Prior Art discloses a map count field (MAP COUNT) and a third number of map fields (MAP (1) ,...), the map count field storing the third number, and the map fields each storing database mapping instruction data (page 4, Specification). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include a map count field (MAP COUNT) and a third number of map fields (MAP (1) ,...), the map count field storing the third number, and the map fields each storing database mapping instruction data, since the AAPA discloses that such a modification would eliminate the need to reprogram and rebuild the software application every time the databases structure or data representations change.

22.   Williams does not teach wherein the sender identifier and the destination address are each email addresses in the form of a user name and a domain name. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have the sender identifier and destination address be e-mail addresses, since it has been held that there needs to be a unique identifier for the sender and receiver.

23.   With regards to claim 44, Williams teaches, wherein the predetermined message definition table (msgdef) comprises a message system identifier (msysid) for use as a reference to further tables in the database (ILMDB) (column 16, line 35 to column 18, line 19).

24.   Concerning claim 45, Williams teaches wherein the further tables comprise a field definition table (flddef) for holding primary definitions for any field of the messages (column 16, line 35 to column 18, line 19).

25.   Concerning claim 46, AAPA teaches wherein the further tables comprise a field mapping table (fldmap) comprising the mapping instructions usable by predetermined fields (page 4 Specification).

26.   Concerning claim 47, Williams teaches wherein the further tables comprise a field action table (fldact) comprising the message action lists usable by predetermined fields (column 16, line 35 to column 18, line 19).

27.   Concerning claim 51, neither Williams nor AAPA teach wherein the application is a

distributed application distributed over a plurality of communication apparatuses. It would have

been obvious to one of ordinary skill in the art at the time the invention was made to have the

application distributed over a plurality of communication apparatuses, since it has been held that

merely duplicating an application for a multiple effect requires only routine skill in the art. See

MPEP 2144.04; see *In re Harza*, 274 F.2d 669, 671, 124 USPQ 378, 380 (CCPA 1960).

28.   With regards to claim 52, Williams teaches arranged for requesting a new message

definition from a sender if a message received refers to a message definition not present in said

database (ILMDB), and receiving the new message definition from the sender and storing the

received new message definition in the message definition table (msgdef) in the database

(ILMDB) (column 13, line 23 to column 14, line 62).

29.   With regards to claim 53, Williams teaches arranged to interpret a previously unseen

message and to create a new message definition entry in the database (ILMDB) (column 13, line

23 to column 14, line 62).

30.   With regards to claims 57 and 58, Williams teaches wherein said message class may be

any of mail, business message, orders and shipping (column 6, lines 7-38).

31.   Concerning claim 59, Williams teaches wherein said predetermined fields may be any of

mappings to hyper text markup language fields, database fields, flat file fields and other message

fields (Table 1, column 5, line 62 to column 7, line 50).

Allowable Subject Matter

32.   Claims 48-50, 54, and 55 are objected to as being dependent upon a rejected base claim,

but would be allowable if rewritten in independent form including all of the limitations of the

base claim and any intervening claims.

Conclusion

33.   The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure.

34.   The following patents are cited to further show the state of the art with respect to

communication processes, such as:

United States Patent No. 6,023,467 to Abdelhamid et al, which is cited to show

operations and maintenance data flows over a point to multipoint broadband access network.

United States Patent No. 5,758,126 to Daniels et al., which is cited to show customizable

bi-directional EDI translation system.

United States Patent No. 5,867,603 to Barnsley et al., which is cited to show transmitting

fractal transform data to support different compressor/decompressor designs.

United States Patent No. 5,257,369 to Skeen et al., which is cited to show providing

decoupling of data exchange details for providing high performance communication between

software processes.

35.   Applicant's amendment necessitated the new ground(s) of rejection presented in this

Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

36.   A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this

final action.

37.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Christian La Forgia whose telephone number is (703) 305-7704.

The examiner can normally be reached on Monday thru Thursday 7-5.
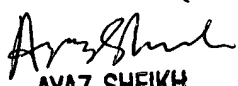
38.   If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Ayaz Sheikh can be reached on (703) 305-9648. The fax phone number for the

organization where this application or proceeding is assigned is 703-872-9306.

39.   Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Christian LaForgia
Patent Examiner
Art Unit 2131

clf

AYAZ SHEIKH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100